IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

Tr.P(C).No. 209 of 2007()

OPHMA.982/2007 of FAMILY COURT, NEDUMANGAD
.....

: PETITIONER

MASHA, W/O RAJENDRAN, AGED 41 YEARS,
RESIDING AT NEDIYAVILA VEEDU, MUKKADA JUNCTION
POOTHAKULAM VILLAGE, POOTHAKKULAM P.O.,
KOLLAM TALUK, KOLLAM DIST.

BY ADV. SRI.V.VENUGOPALAN NAIR
SRI.C.UNNIKRISHNAN (KOLLAM)

RESPONDENTS:
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1. RAJENDRAN, AGED 51,
S/O BHASKARAN NEDIYAVILA VEEDU,
MUKKADA JUNCTION POOTHAKULAM VILLAGE,
POOTHAKKULAM P.O., KOLLAM TALUK,
KOLLAM DISTRICT.

2. SASIDHARAN @ SHAJI,
VANDIPURA KUZHIVILA VEEDU, KOVOOR,
VARKALA.

BY

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N. KRISHNAN, J.

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Tr.P.C. NO. 209 OF 2007

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Dated this the 3rd day of October, 2007.

J U D G M E N T

This Transfer Petition is filed by the wife for withdrawal and transfer of O.P.(HMA) 982/07 pending before the Family Court, Nedumangad to the Family Court, Kollam for trial and disposal. On going through the grounds mentioned in the Transfer Petition what is sought to be adjudicated is regarding the jurisdictional aspect of the Family Court, Nedumangad holding that the said Court will not have any jurisdiction till the cause of action had arisen within the jurisdiction of the Family Court, Kollam. The said matter has to be adjudicated and decided by the Court where the matter is pending and if that Court finds that it has no jurisdiction it has to return the plaint for representation before proper Court. So with liberty to raise that contention before that

Court. If there are other grounds which will be attracted under Section 24, without foreclosing her that right, this Tr.P.C. is disposed of.

M.N. KRISHNAN, JUDGE.

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